UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/438,515	11/12/1999	YASUHIRO TABATA	0557-4730-2-	9469

22850 7590 04/13/2005	EXAMINER
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ART UNIT	PAPER NUMBER
2626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/438,515	TABATA, YASUHIRO
	Examiner	Art Unit	
	Mark E. Wallerson	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>*20 October 2004*</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>*18-45*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>*18-45*</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☒ Certified copies of the priority documents have been received in Application No. <u>08/786,643</u>.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Part III DETAILED ACTION

Notice to Applicant(s)

1.   This action is responsive to the following communications: amendment filed on

10/20/04.

2.   This application has been reconsidered. Claims 18-45 are pending.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

4.   Claims 18-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kageyama

(U. S. 5,625,757) in view of Weinberger et al (U. S. 5,603,060).

With respect to claims 18, 22-26, and 30-33, Kageyama discloses a network control

system comprising a computer network (figure 1); a plurality of image forming apparatuses (17

and 18) connected to the computer network (10), each image forming apparatus configured to

record an image on a recording paper; a server (14, 15, or 16) connected to the network and

configured to store information items of the plurality of image forming apparatuses (column

16, lines 54-67); a computer (11, 12, or 13) connected to the network, comprising a print data

generating unit configured to generate print data (column 14, lines 38-42 and column 1, lines

30-37); a computer display (figure 3) configured to display the information items stored in the

server (column 16, line 54 to column 17, line 8), and an input device (keyboard) configured to

input data into the computer, the computer configured to select one of the plural image forming

apparatus to which the operator sends a print instruction based on the items displayed on the computer display (column 16, line 54 to column 17, line 8 and column 18, lines 32-46).

Kageyama differs from claims 18, 22-26 and 30-33 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Weinberger also discloses controlling copy machine keystroke commands from a remote location and transmitting a data pattern corresponding to the command to the copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

With respect to claims 19 and 27, Kageyama discloses the information items include an installation location of the image forming apparatuses (column 29, lines 15-24).

With regard to claims 20, 21, 28, and 29, Kageyama discloses the information items include machine model, presence of specification data and existence of malfunctions in the image forming apparatus (column 16, line 54 to column 17, line 24).

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the
> prior art are such that the subject matter as a whole would have been obvious at the time the invention
> was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability
> shall not be negatived by the manner in which the invention was made.

6.   Claims 18, 20, 22, 24, 26, 28, 30, 31, and 32 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Sugishima (U. S. 5,768,516) in view of Weinberger.

With respect to claims 18 and 26, Sugishima discloses a network control system

comprising a computer network (figure 1); a plurality of image forming apparatuses (11, 13,

and 15) connected to the computer network (16), each image forming apparatus configured to

record an image on a recording paper (column 3, lines 12-18); a server (which reads on a

system management apparatus) (10) connected to the network and configured to store

information items of the plurality of image forming apparatuses (column 4, lines 9-12); a print

data generating unit configured to generate print data (column 3, lines 48-57); a computer (12)

connected to the network, comprising a computer display (figure 1) configured to display the

information items stored in the server (column 4, lines 9-33), and an input device (keyboard)

configured to input data into the computer, the computer configured to select one of the plural

image forming apparatus to which the operator sends a print instruction based on the items

displayed on the computer display (the abstract; column 1, lines 39-52, and column 4, lines 12-

17).

Sugishima differs from claims 18 and 26 in that he does not clearly disclose storing a

graphic layout of an operation panel of all of the plurality of image forming apparatuses

connected to the computer network.

Weinberger discloses a print system that allows a user to access a functional replica of

the operational panel of copiers from a remote location, wherein a copy of the control panel

information is maintained at a data collection computer (which reads on a server) (16) (column

13, lines 24-54). Weinberger also discloses controlling copy machine keystroke commands

from a remote location and transmitting a data pattern corresponding to the command to the

copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to have modified Sugishima to store a graphic layout of an operation panel of all of

the plurality of image forming apparatuses connected to the computer network. It would have

been obvious to one of ordinary skill in the art at the time of the invention to have modified

Sugishima by the teaching of Weinberger in order to allow an experienced person to view

actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

With regard to claims 20 and 28, Sugishima discloses the information items include

machine model, presence of specification data and existence of malfunctions in the image

forming apparatus (column 8, lines 22-37).

With respect to claims 22, 24, 30, and 32, Sugishima differs from claims 22, 24, 30,

and 32 in that he does not clearly disclose storing the layout of an operation panel for each

image forming apparatus.

Weinberger discloses a print system that allows a user to access a functional replica of

the operational panel of copiers from a remote location, wherein a copy of the control panel

information is maintained at a data collection computer (which reads on a server) (16) (column

13, lines 24-54). Therefore, it would have been obvious to one of ordinary skill in the art at

the time of the invention to have modified Sugishima to store a graphic layout of an operation

panel of all of the plurality of image forming apparatuses connected to the computer network.

It would have been obvious to one of ordinary skill in the art at the time of the invention to

have modified Sugishima by the teaching of Weinberger in order to allow an experienced

person to view actual machine conditions first hand as disclosed by Weinberger in column 13,

lines 40-45.

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the
> prior art are such that the subject matter as a whole would have been obvious at the time the invention
> was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability
> shall not be negatived by the manner in which the invention was made.

8.   Claim 19, 21, 23, 25, 27, 29, 31, and 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Sugishima in view of Weinberger as applied to claims 18 and 26 above, and

further in view of Ooki (U. S. 5,991,846).

With respect to claims 19 and 27, Sugishima as modified differs from claims 19 and 27

in that he does not clearly disclose the information items include an installation location of the

image forming apparatuses.

Ooki discloses an information processing system wherein information pertaining to the

location of printers is stored in a server (102) and displayed to a user (column 7, lines 4-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to have modified Sugishima as modified wherein the information items include an

installation location of the image forming apparatuses. It would have been obvious to one of

ordinary skill in the art at the time of the invention to have modified Sugishima as modified by

the teaching of Ooki in order to allow the user to easily select a preferable printer as discloses

by Ooki in column 1, lines 55-58.

With regard to claims 21 and 29, Sugishima discloses the information items include

machine model, presence of specification data and existence of malfunctions in the image

forming apparatus (column 8, lines 22-37).

With respect to claims 23, 25, 31 and 33, Sugishima differs from claims 23, 25, 31,

and 33 in that he does not clearly disclose storing the layout of an operation panel for each

image forming apparatus.

Weinberger discloses a print system that allows a user to access a functional replica of

the operational panel of copiers from a remote location, wherein a copy of the control panel

information is maintained at a data collection computer (which reads on a server) (16) (column

13, lines 24-54). Therefore, it would have been obvious to one of ordinary skill in the art at

the time of the invention to have modified Sugishima to store a graphic layout of an operation

panel of all of the plurality of image forming apparatuses connected to the computer network.

It would have been obvious to one of ordinary skill in the art at the time of the invention to

have modified Sugishima by the teaching of Weinberger in order to allow an experienced

person to view actual machine conditions first hand as disclosed by Weinberger in column 13,

lines 40-45.

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

10.   Claims 34-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kageyama

in view of Weinberger.

With regard to claims 34, 37, 40, and 43, Kageyama discloses a server (300) connected

to a network (10) having a client computer (11) and a plurality of image forming apparatuses

(1), comprising storing means (7200) for storing information items associated with the image

inherent to each of the image forming apparatuses; receiving means for receiving requirements

for image forming from the client (column 16, lines 56-59); means for performing a search for

image forming apparatuses satisfying the requirements from among the plural image forming

apparatuses and researching the search to the client (column 16, lines 56-62); receiving a user

selection from the client for selecting one image forming apparatus to which an operator sends

print data and a print instruction based on the result (column 1, lines 30-37, column 15, lines

34-64, and column 16, lines 61-64), and transmitting to the client information items associated

with image forming inherent to the selected image forming apparatus (column 24, lines 16-35);

receiving from the client user instructions corresponding to the information items associated

with the selected image forming apparatus (column 34, lines 36-48), and sending an image

forming execution instruction to the image forming apparatus (column 24, line 49 to column 25, line 10).

Kageyama differs from claims 34, 37, 40, and 43 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Weinberger also discloses controlling copy machine keystroke commands from a remote location and transmitting a data pattern corresponding to the command to the copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

With respect to claims 35, 38, 41, and 44, Kageyama discloses including an installation location of the image forming apparatuses in the search result (column 23, lines 1-6 and column 29, lines 15-20).

With respect to claims 36, 39, 42, and 45, Kageyama discloses reporting the results of the image forming apparatuses partly satisfying the requirements in an order of decreasing

number of information items satisfying the requirements (which reads on displaying the printers in accordance with the registration order) (column 22, line 59 to column 23, line 6, column 24, lines 26-35).

11. Claims 34, 36, 37, 39, 40, 42, 43, and 45 rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima in view of Weinberger.

With regard to claims 34, 37, 40, and 43, Sugishima discloses a server (network management apparatus) connected to a network (16) having a client computer (12) and a plurality of image forming apparatuses (13 and 15), comprising storing means (figure 4) for storing information items associated with the image inherent to each of the image forming apparatuses; receiving means for receiving requirements for image forming from the client (column 1, lines 39-43); means for performing a search for image forming apparatuses satisfying the requirements from among the plural image forming apparatuses and researching the search to the client (column 1, lines 45-49); receiving a user selection from the client for selecting one image forming apparatus to which an operator sends print data and a print instruction based on the result (column 3, lines 48-57 and column 4, lines 1-33), and transmitting to the client information items associated with image forming inherent to the selected image forming apparatus (column 4, lines 12-17); receiving from the client user instructions corresponding to the information items associated with the selected image forming apparatus (column 8, lines 12-37), and sending an image forming execution instruction to the image forming apparatus (column 8, lines 12-37).

Sugishima differs from claims 34, 37, 40, and 43 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Weinberger also discloses controlling copy machine keystroke commands from a remote location and transmitting a data pattern corresponding to the command to the copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

With respect to claims 36, 39, 42, and 45, Sugishima discloses reporting the results of the image forming apparatuses partly satisfying the requirements in an order of decreasing number of information items satisfying the requirements (figure 4).

12. Claims 35, 38, 41, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima in view of Weinberger as applied to claims 34, 37, 40, and 43 above, and further in view of Ooki (U. S. 5,991,846).

With respect to claims 35, 38, 41, and 44, Sugishima as modified differs from claims

35, 38, 41, and 44 in that he does not clearly disclose the information items include an

installation location of the image forming apparatuses.

Ooki discloses an information processing system wherein information pertaining to the

location of printers is stored in a server (102) and displayed to a user (column 7, lines 4-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to have modified Sugishima as modified wherein the information items include an

installation location of the image forming apparatuses. It would have been obvious to one of

ordinary skill in the art at the time of the invention to have modified Sugishima as modified by

the teaching of Ooki in order to allow the user to easily select a preferable printer as discloses

by Ooki in column 1, lines 55-58.

Response to Arguments

13.   Applicant's arguments filed 10/20/04 have been fully considered but they are not

persuasive. Applicant submits that *Weinberger* is set forth as eth primary reference in the

rejections. This is erroneous. In each of the various rejections set forth in the Office Action

mailed on 7/20/04 and re-submitted above, *Weinberger* is the **secondary** reference, not the

primary reference.

Applicant also submits that Weinberger does not disclose or suggest that any key strokes

from the remote location accompany print data to be printed. This argument is unclear and

confusing, since *Weinberger* was not utilized in the rejections to show print data being sent from

a computer. The rejections state that *Kageyama* and *Sugishima* disclose print data being sent

from computers (column 14, lines 38-42 and column 1, lines 30-37) of *Kageyama* and (column

3, lines 48-57) of *Sugishima*.

Conclusion

14.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mark E. Wallerson whose telephone number is (571) 272-7470.

The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
Art Unit 2626

MARK WALLERSON
PRIMARY EXAMINER